

1 **HECTOR J. CARBAJAL II, ESQ.**

2 Nevada Bar No. 6247

3 **CARBAJAL LAW**

4 10001 W Park Run Drive

5 Las Vegas, NV 89145

6 Phone: (702) 846-0040

7 Fax: (702) 846-1329

8 [hector@claw.vegas](mailto:hector@claw.vegas)

9 *Attorney for Plaintiff*

10 *StratusGreen, LLC*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 STRATUSGREEN, LLC,

14 Plaintiff,

15 vs.

16 GLOBAL AUTOMOTIVE SOLUTIONS, LLC,  
17 d/b/a STELARO, LLC

18 Defendants.

19 GLOBAL AUTOMOTIVE SOLUTIONS, LLC,  
20 a Nevada limited liability company,

21 Counterclaimant,

22 v.

23 STRATUSGREEN, LLC,

24 Counter-Defendant.

25 Case No.: 2:23-cv-00758-JCM-VCF

26 **JOINT DISCOVERY PLAN AND**  
**PROPOSED SCHEDULING ORDER**

27 **SPECIAL SCHEDULING REVIEW  
REQUESTED**

28 Plaintiff/Counterdefendant StratusGreen, LLC, ("Plaintiff" or "StratusGreen") by and through its attorney, Hector J. Carbajal II, Esq. of the law offices of Carbajal Law, and Defendant/Counterclaimant Global Automotive Solutions, LLC ("Defendant" or "Global Auto") by and through its attorney, Royi Moas, Esq. of the law offices of Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP, hereby submit the following proposed Joint Discovery Plan and Scheduling Order in accordance with the provisions of LR 26-1(a) and (b).

1           **I. INTRODUCTION**

2           On May 15, 2023, StratusGreen filed its Complaint against Global Auto (ECF No. 1). On  
3           August 11, 2023, Global Auto filed its Answer and Counterclaim and Demand for Jury Trial (ECF  
4           No. 15). On September 1, 2023, StratusGreen filed its First Amended Complaint and its Reply  
5           to Counterclaim (ECF No. 18 and 19). On September 15, 2023, Global Auto filed its Answer to  
6           Plaintiff's First Amended Complaint and Demand for Jury Trial (ECF No. 21). On October 12,  
7           2023, counsel for the parties met telephonically for an early case conference.

8           **II. DISCOVERY PLAN**

9           The parties agree that each party may conduct all discovery allowed under the Federal  
10           Rules of Civil Procedure, subject to the following deadlines:

11           1.        Discovery Cut-Off Date: The parties shall have until July 12, 2024, to complete  
12           discovery in this case. In light of Counsel's current and upcoming trial deadlines and in light of  
13           the upcoming holidays and their impact on the parties and counsel, the parties agree a longer time  
14           period for discovery is necessary.

15           2.        Amending the Pleadings and Adding Parties: The parties shall have until April 12,  
16           2024, to file motions to amend the pleadings and/or to add parties, which is not later than 90 days  
17           prior to the close of discovery.

18           3.        Fed. R. Civ. P. 26(a)(2) Disclosures (Experts): The parties shall have until May  
19           13, 2024, to disclose experts, which is 60 days before the discovery cut-off date. The parties shall  
20           also have until June 11, 2024, to disclose rebuttal experts, which is 30 days after the initial  
21           disclosure of experts.

22           4.        Dispositive Motions: The parties shall have until August 12, 2024, to file  
23           dispositive motions, which is 30 days after the discovery cut-off date.

24           5.        Pretrial Order: The parties shall have until September 11, 2024, to file the joint  
25           pretrial order, which is 30 days after the dispositive motion deadline. If dispositive motions are  
26           filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision  
27           on the dispositive motion or further court order.

1       6.       Fed. R. Civ. P. 26(a)(3) Disclosures: The disclosures required by Fed. R. Civ. P.  
2 26(a)(3) and any objections to them must be included in the joint pretrial order.

3       7.       Alternative Dispute Resolution: The parties hereby certify that they met and  
4 conferred about the possibility of using alternative dispute-resolution processes, including  
5 mediation, arbitration, and, if applicable, early neutral evaluation. The parties are currently open-  
6 minded about the possibility of using alternative dispute resolutions processes but believe that  
7 some discovery must be conducted first.

8       8.       Alternative Forms of Case Disposition: The parties hereby certify that they  
9 considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73  
10 and the use of the Short Trial Program. At this time, the parties respectfully decline using these  
11 alternative forms of case disposition.

12       9.       Electronic Evidence: The parties hereby certify that they discussed whether they  
13 intend to present evidence in electronic format to jurors for the purposes of jury deliberations.  
14 The parties have not reached any stipulations regarding providing discovery in an electronic  
15 format compatible with the court's electronic jury evidence display system but anticipate that that  
16 such a stipulation will be forthcoming.

17       10.      Additional Information Required by Fed. R. Civ. P. 26(f):

18       A.       The parties do not believe that any changes should be made in the timing, form, or  
19 requirement for disclosures under Rule 26(a), except that the parties stipulate that initial  
20 disclosures will be made on or before fourteen days after the Court ratifies the parties' joint  
21 discovery plan and scheduling order.

22       B.       The parties agree that each party may conduct all discovery allowed under the  
23 Federal Rules of Civil Procedure.

24       C.       At this time the parties have no issues about disclosure, discovery, or preservation  
25 of electronically stored information, including the form or forms in which it should be produced,  
26 as those issues will be addressed in the parties' forthcoming Stipulation and Order Regarding  
27 Electronically Stored Information.

1 D. At this time the parties have no issues about claims of privilege or of protection as  
2 trial-preparation materials, including whether to ask the court to include any agreement in an order  
3 under Federal Rule of Evidence 502, but reserve their rights to address any such issues that may  
4 arise in the future.

5 E. The parties believe that no changes should be made regarding limitations on  
6 discovery imposed under the rules or by local rule, or that any other limitations should be  
7 imposed.

8 F. The parties agree that no other orders should be issued by the court at this time  
9 under Rule 26(c) or under Rule 16(b) and (c).

10  
11 DATED this 9<sup>th</sup> day of November, 2023.

12  
13 **CARBAJAL LAW**

14  
15 /s/ Hector J. Carbajal II  
16 Hector J. Carbajal II, Esq. NV Bar No. 6247  
17 10001 Park Run Drive  
Las Vegas, Nevada 89145

18 *Counsel for Plaintiff*

19 **WOLF, RIFKIN, SHAPIRO, SCHULMAN  
& RABKIN, LLP**

20  
21 /s/ Stephanie Storm  
22 Royi Moas, Esq. NV Bar No. 10686  
Stephanie Storm, Esq. NV Bar No. 15338  
3773 Howard Hughes Parkway, Suite 590  
Las Vegas, Nevada 89169

23  
24 *Counsel for Defendants*

25  
26 **IT IS SO ORDERED.**

27  
28   
UNITED STATES MAGISTRATE JUDGE

11-16-2023  
DATE: \_\_\_\_\_